

**MINUTES**  
**PROTECTION & WELFARE COMMITTEE**  
**Tuesday, September 1, 2015**  
**City Hall, Room 207**  
**5:00 p.m.**

**MEMBERS PRESENT:** Ald. Wery, Ald. Tim De Wane, Ald. Steuer, and Ald. Scannell  
**MEMBERS EXCUSED:** None  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Jim Mueller-City Attorney, Kristen Bohnert-Asst. City Attorney, Capt. Knoebel, and other interested parties.

1. Roll Call.

Ald. Wery, Ald. Tim De Wane, Ald. Steuer and Ald. Scannell were present.

2. Approval of the Agenda.

A motion was made by Ald. Scannell and seconded by Ald. Tim De Wane to approve the agenda. Motion carried.

3. Approval of the minutes from the August 10, 2015 meeting.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to approve the minutes from the August 10, 2015 meeting. Motion carried.

4. Application for one of ten available "Class B" Combination License by WNC of Green Bay LLC at 2350 E. Mason Street.

The City Attorney's Office and the Green Bay Police Department (GBPD) had no objections.

Ald. Wery opened the floor without objection.

Scott Daily, 3566 Spyglass Hill Drive, appeared and stated this license is for an art studio opening at the East Town Mall where patrons can enjoy wine while learning to paint.

Ald. Wery returned to regular order of business.

A motion was made by Ald. Tim De Wane and seconded by Ald. Scannell to approve the application for one of ten available "Class B" Combination License by WNC of Green Bay LLC at 2350 E. Mason Street with the approval of the proper authorities. Motion carried.

5. Application for a "Class B" Combination License by Scoreboard Grille LLC at 2511 W. Mason Street. (Currently Fuzzy's 63 Bar & Grill LLC)

The City Attorney's Office and the GBPD had no objections.

A motion was made by Ald. Scannell and seconded by Ald. Tim De Wane to approve the application for a "Class B" Combination License by Scoreboard Grille LLC at 2511 W. Mason Street with the approval of the proper authorities. (Currently Fuzzy's 63 Bar & Grill LLC) Motion carried.

6. Request by Staff to review, with possible action, the prior taxi cab ordinance to determine if it shall become readopted.

Ald. Wery stated numerous meetings were held regarding changes to this ordinance and staff will present these changes tonight.

Atty. Mueller stated a change was made to the last section (6) LICENSE SUSPENSION OR REVOCATION where the wording "surety requirement" was changed to "fine"; however he would like to recommend the wording remains as "surety" or to remove this requirement. Atty. Mueller reported that this section was intended to deter individuals from making frivolous complaints, and that a complaint like this has never been filed.

Ald. Wery opened the floor without objection.

Kurt Wipperfurth, 2084 Spring Creek Circle, appeared and stated he would like the application fee amount that is paid to the City Clerk's office listed. Mr. Wipperfurth also reported that Risk Management was listed as the party responsible for recording and maintaining insurance records; however no party is listed now and he would like to see that put back in. Mr. Wipperfurth stated he would like the purpose of the surety clarified in the license suspension section.

Discussion that followed included making the following changes: striking any reference to surety or fines in Section 6; reference the applicable statute in Section 3 (a); and to reference the appropriate department in Section 3 (f).

A motion was made by Ald. De Wane and seconded by Ald. Scannell to approve as amended the prior taxi cab ordinance. Motion carried.

7. Request by Ald. Wery to draft a resolution in opposition to the State of Wisconsin Assembly Bill 290 which would override local sex offender ordinances and establish much less restrictive requirements for residency.

Ald. Wery stated that an overwhelming amount of sex offenders were being placed in Green Bay upon their release, and the State ignored concerns we presented them with. Therefore a Sex Offender Ordinance was created in 2002 to restrict areas a sex offender can move to within the City limits. Ald. Wery reported that Assemblymen are in the process of creating a state wide assembly bill which would override our ordinance by eliminating the 2,000 foot living restriction, as well as the park and playground exemption. Ald. Wery also reported if the Department of Justice contracts with residential facilities, they can also override the ordinance creating all kinds of loop holes.

Ald. Wery reported that he requested the City Attorney's Office to draft a resolution to present to the State Legislature either making changes to or opposing Assembly Bill 290.

Atty. Bohnert distributed copies of the draft resolution.

Ald. Steuer stated he was originally opposed to the Sex Offender Ordinance due to the 2,000 foot living restrictions and believed that offenders moving into the area wouldn't register due to these restrictions. Ald. Steuer stated he would like to study and discuss this bill further.

Ald. Scannell stated he would like all the concerns Ald. Wery raised listed in the resolution and to contact members of the Sex Offender Residency Board for their opinions and recommendations.

A motion was made by Ald. Scannell and seconded by Ald. Steuer to amend as directed and refer to the Sex Offender Residency Board for review and recommendation the resolution in opposition to the State of Wisconsin Assembly Bill 290 which would override local sex offender ordinances and establish much less restrictive requirements for residency. Motion carried.

A motion was made by Ald. Tim De Wane and seconded by Ald. Scannell to adjourn the meeting at 5:30 p.m. Motion carried.

For all licensing issues, the Committee may potentially convene in closed session pursuant to §19.85 (1)(b) and/or §19.85 (1)(f) Wisconsin Statutes, for the purpose of considering information with respect to licensing for a person. The applicant has the right to demand that the meeting be held in open session. The applicant may also request that the meeting be held in closed session. The Committee may, thereafter, reconvene in open session pursuant to §19.85(2) Wisconsin Statutes to report any actions taken during the closed session and to consider all other matters on the agenda.

If there are any questions regarding the agenda, please call Dawn, City Clerk's Office, at 448-3010.

**ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

Please take notice that it is possible that additional members of the Council may attend this committee meeting resulting in a majority or quorum of the Common Council. This may constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.

The audio tape and minutes of this meeting will be available at [www.greenbaywi.gov](http://www.greenbaywi.gov)

RESOLUTION RELATING TO 2015 ASSEMBLY BILL 290 WHICH  
REGULATES THE LOCATION OF SEX OFFENDERS  
AND BANS SIMILAR REGULATION BY MUNICIPALITIES

September 1, 2015

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

**WHEREAS**, the CITY OF GREEN BAY adopted a Sexual Offender Ordinance, due primarily to the State of Wisconsin's unwillingness to assist in scrutinized placement of offenders. Furthermore, the State of Wisconsin would not ensure that the City of Green Bay would cease to operate as a dumping ground for the placement of the vast majority of sexual offenders in Brown County; and

**WHEREAS**, 2015 Wisconsin Assembly Bill 290 ("AB 290") proposes to invalidate Green Bay Municipal Code § 27.622 relating to the prohibition of certain sexual offenders from residing within 2,000 feet of areas where children are known to congregate; and

**WHEREAS**, the regulation of where certain sexual offenders reside rationally advances the legitimate public purpose of protecting children from sexual assault; and

**WHEREAS**, the CITY OF GREEN BAY is charged with the authority and responsibility to determine how to handle its local affairs and government; and

**WHEREAS**, 2015 Wisconsin Assembly Bill 290 ("AB 290"), in overriding local ordinances, significantly weakens the City of Green Bay's Sex Offender Ordinance; and

**NOW, THEREFORE, BE IT RESOLVED** that the COMMON COUNCIL hereby opposes the enactment of AB 290 and any similar or subsequent legislation which would prevent the City of Green Bay from restricting the residence location of certain sexual offenders.

Adopted: \_\_\_\_\_, 2015

Approved: \_\_\_\_\_, 2015

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

DATE:

kkb